



CITY PLANNING AND DEVELOPMENT CITY OF KANSAS CITY, MISSOURI POLICY AND PROCEDURE TO RELEASE AN EASEMENT BY SEPARATE PROCESS

Previously, Code of Ordinance 64-2 required easements to be accepted and released by ordinance. Recently however, ordinance 071392 (Code of Ordinance section 64-2) was amended to provide for acceptance by a new process, which allows the City Manager to accept the easement through a City Communication via the City Clerk that is then recorded. Additionally, ordinance 110718 (Code of Ordinances section 75-12) further amended the overall process to also allow releases to occur by a similar process as with acceptances. Therefore, the releases process now allows the City Manager to release the easement upon a Department Director certifying that the easement is no longer needed and subject to Law Department approval as to form. This will also use a City Communication via the City Clerk that is then recorded to formalize the acceptance of the release. The information that was previously requested is essentially the same under the new process. Please note, an easement release is sometimes referred to as an easement vacation, however, the term vacation is typically reserved for the process of vacating r/w or a plat. Also, easements are sometimes released as part of a Final Plat process. This document does not cover that process, and this process does not cover private easement agreements between private individuals. This process does cover easement dedicated by plats or by separate instrument to the City's benefit or as required by the City for compliance with development requirements.

A letter petitioning the release of an easement must contain the following information and be included with the IB159 Application Form (see <http://webfusion.kcmo.org/ColdFusionApps/IBS/IBSearch.cfm>):

- 1 – Owner's name, address, phone number and email address of encumbered and affected properties.
- 2 – A correct legal description of the easement to be released. Please include a copy of the recorded document creating the easement, unless waived by the City. *If the release is to be a "partial" (a portion of the original conveyance) release of an easement, submit an electronic version, in MS Word, of the metes and bounds legal description, with bearings and dimensions describing that portion to be released. This can be emailed to QCR.*
- 3 – A graphical exhibit of the easement boundary and location, showing/containing the dimensions, bearings and angles of the easement or easement area being released.
- 4 – The attached, *Request for Release of Easement Review Form* (page 2), from each Utility Company or Department of the City that has interest in or was granted the right to use the easement.
- 5 – The letter must provide the reason for requesting the easement to be released (i.e. no longer needed, utility relocated, abandoned, no facility in easement, proposed building to be constructed or modified, etc.). If there are relocations or abandonment obligations, those must have already been reviewed, permitted and inspected including submittal of as-builts prior to requesting the release. The City will not release an easement that it cannot certify is no longer needed.
- 6 – The letter should, along with the Utility statements, certify that the easement is no longer necessary.

A fee in accordance with Code of Ordinances section 75-12 (www.kcmo.org – Go to City Clerk Office under the Departments link and select Charter and Code to view Chapter 75) per easement shall be paid at the time of petitioning the release to cover the cost incurred in reviewing and processing the release of the easement.

The IB159, letter, fee, and supporting documents should be submitted to:

City Planning and Development
City of Kansas City, Missouri
414 East 12th Street, 5th Floor
Kansas City, Missouri 64106
Plan Management Branch – Quality Control Review
Attention: Land Development- Plan Review

Questions may be directed to 816-513-1500, option #2 (Land Development Division Contact Tom Nguyen)

For Digital submissions – See IB159 document Part A Item 17 of revised draft.

Following a review of the petition and attachments, and upon determining the easement is not necessary, the Department Director will certify to the City Manager that the easement is no longer needed. The Department will then prepare a communication to the City Clerk for review and approval by Law for processing and recording by the Clerk.

The total length of time for the communication to be approved and become effective is approximately four (4) weeks.

Attached, is a list of utilities which may have the right to use the easement with contact names.

Easements released by communication can be searched on the City Clerk webpage. Search by book #, page #, document # or Grantor.

REQUEST FOR RELEASE OF EASEMENT REVIEW FORM

This is a request for you to review the proposed request for the release of easement as described in and shown on the attached documents and drawings to determine if there will be any conflicts with your company's facilities. This review is required by the City before release of the easement may be granted.

Date: _____

APPLICANT

Name/Company: _____ PhoneNo: _____

Address: _____

UTILITY

Name of Utility: _____

Utility Representative: _____ Phone No. _____

Address: _____

EASEMENT TO BE RELEASED

Reason for Release _____

Type of Easement: _____ County of Record _____

Document No. _____ Book _____ Page _____

Legal Description of easement to be released: _____

☐ See attached legal description

UTILITY COMMENTS

Date: _____

☐ Easement is not in use and will not be needed in future.

☐ Object – Comment: _____

☐ Will Waive Objection – Comment: _____

Utility Representative: _____ Phone No. _____

Address: _____

Public Works Department Street and Traffic Division 5 th Floor, City Hall-Room 502 414 E 12 th Kansas City, Mo 64106 Jerry Cook 816 513-2671 jerry.cook@kcmo.org	Public Works Department Streetlight Services 1301 Chouteau Traffic way Kansas City, Mo 64120 David Ferrara 816 513-9882 dave.ferrara@kcmo.org	Public Works Department Street and Traffic Division 5310 Municipal Ave Kansas City, Mo 64120 Jerry Nelson 816 513-9849 jerry.nelson@kcmo.org
Parks and Recreation Department Planning Services Division 4600 E 63 rd St Kansas City, Mo 64130 Stephen Abbott 816 513-7622 stephen.abbott@kcmo.org	Water Services Department Systems Engineering Division 4800 E 63 rd St Kansas City, Mo 64130 William Wright 816 513-0507 william.wright@kcmo.org	KCMO Fire Department 635 Woodland, Suite 2103 Kansas City, Mo 64106 John Hastings 816 784-9110 john.hastings@kcmo.org
Veolia Energy North America/Trigen 115 Grand Blvd Kansas City, Mo 64106 Bill Sinkhorn 816 889-4924 jdykes@veoliaenergyna.com	Century Link/Embarq 209 Market Warrensburg, Mo 64093 Randy Leach 660 429 7048 randy.leach@centurylink.com	Time Warner Cable Construction Department 8221 W 119 th St Overland Park, Ks. 66213 Greg Thomas 913 643-1950 greg.thomas@twcable.com
AT&T/Southwestern Bell 500 E 8 th St, Room 695 Kansas City, Mo 64106 Carrie Cilkey 816 703-4386 cc3527@att.com	Missouri Gas Energy (SUG) Engineering 7500 E 35 th Ter. Kansas City, Mo 64129 Donnie Richards 816 472-3464 donnie.richards@SUG.com	Sprint 6450 Sprint Pkwy, KS0PHN0204-2B370 Overland Park, Ks. 66251 David Stueven (CB Ellis) 913 794-8276 david.j.stueven@sprint.com
Kansas City Power & Light Co. PO Box 418679 Kansas City, Mo. 64141 Derek Ward 816 245-4022 derek.ward@kcpl.com	1 Development Management City Planning and Development 414 E 12 th Street, 15 th Floor Diane Binckley 816 513-2874 dianebinckley@kcmo.org	1 Building Permits City Planning and Development 414 E 12 th Street, 5 th Floor Jomy John 816 513-1468 jomy.john@kcmo.org

Utility or Department Contacts List

1 In the case of Building Line Releases associated with Major and Minor Subdivisions or Ingress/Egress Easement Releases that affect multiple properties or Building structure entrances obtain these clearances

For other unique non-utility easements type releases contact Land Development Plan Review Supervisor (816) 513-1500 Option 2.